

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43521 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- MANSI District- Khagaria

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Manoj Yadav @ Manoj Kumar S/o Ramdeo Yadav @ Ramdeo Prasad Yadav
R/o village- Belbara, P.S.- Balbahat, District- Saharsa. At Present resident of
Dhamhara, P.S.- Mansi, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 11-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Mansi P.S. Case No.41/2018 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 385, 386,
307, 504, 506 of the Indian Penal Code and Section 27 of the
Arms Act.

Nine accused persons including the petitioner is said
to have snatched sale proceeds of maize worth Rs. 24,000/-
from Manish Kumar on the point of firearm for according less
extortion money and on protest made by the son-in-law of the
informant namely Ramesh Yadav, they started firing resultantly
he became reticent scaringly . Thereafter all the accused persons
arriving at the house of informant assaulted the informant and



his family members and retreated resorting firing.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics and animosity. Earlier, the son of the informant namely Chandradeo Yadav has lodged Mansi P.S. Case No.95/2006 against the petitioner and his father and father of the petitioner has also lodged Mansi P.S. Case No.43/2018 against the informant Chandradeo Yadav. No one has sustained firearm injury in the occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Said Manish Kumar did not disclose the name of the person to whom he sold out the maize, which creates serious doubt about snatching of the aforesaid money from him by the accused persons. Barring one case lodged by the son of the informant, in which final form has been submitted, petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a



period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Mansi P.S. Case No.41/2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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